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Claim 18<sup>2</sup> (currently amendment) An improved cathode material comprising EMD, said EMD having an intrinsic discharge capacity of about 254.6 milliamper hours per gram or higher and an initial open circuit voltage of about 1.639 volts or higher.

Claim 19<sup>3</sup> (currently amendment) An improved cathode material comprising EMD, said EMD having an initial open circuit voltage of about 1.639 volts or higher, an intrinsic discharge capacity of about 254.6 milliamper hours per gram or higher and a compressed density of about 3.162 grams per cubic centimeter or higher.

Claims 20-25 (canceled)

### REMARKS

This amendment is filed in conjunction with a request for continuing examination and is intended to place the pending application in condition for allowance. Claims 18 and 19 have been amended and claims 20-25 have been cancelled.

#### Rejection of the Claims

In the Final Action, the Examiner rejected the pending claims under 35 U.S.C. §102(b) for the same reasons set forth in the Official Action dated July 8, 2002. Specifically, the Examiner has cited the following prior art references against the pending claims:

- U.S. Patent No. 5,580,681 issued to Fleischer
- U.S. Patent No. 5,516,604 issued to Mieczkowska et al.
- U.S. Patent No. 5,607,796 issued to Jacus et al.
- U.S. Patent No. 5,731,105 issued to Fleischer
- U.S. Patent No. 5,866,278 issued to Sumida
- U.S. Patent No. 6,143,446 issued to Davis et al.

#### Summary of the Current Invention and Arguments over the Rejection

The current invention provides a novel composition of matter. As defined by the pending independent claims, the current invention relates to an improved cathode material comprising electrolytic manganese dioxide (EMD). The claims define the improved cathode material with regard to physical, chemical or electrochemical characteristics. The improvements defined by the claims are not taught or suggested by the prior art.